

EMERY CELLI BRINCKERHOFF ABADY WARD & MAAZEL LLP

ATTORNEYS AT LAW
600 FIFTH AVENUE AT ROCKEFELLER CENTER
10TH FLOOR
NEW YORK, NEW YORK 10020

TEL: (212) 763-5000
FAX: (212) 763-5001
www.ecbawm.com

MEMO ENDORSED

November 7, 2023

Via ECF

The Honorable Laura Taylor Swain
United States District Court for the Southern District of New York
500 Pearl Street
New York, NY 10038

Re: *Nunez v. City of New York*, 11 Civ. 5845 (LTS)

Your Honor:

We write to the Court because we anticipate that amici curiae will likely seek to submit briefing to aid the Court in evaluating Plaintiffs' forthcoming motion seeking to hold the Defendants in contempt and seeking receivership. We believe it would aid all parties and the Court if there were an orderly schedule for such submissions. Plaintiffs request that the Court set the below schedule for any motions seeking leave to appear as amicus curiae, with the parties retaining the right to oppose any such motion:

- Any amicus seeking leave to file a brief in support of the motion shall do so by **December 1, 2023** (two weeks after the filing of the motion).
- Any amicus seeking leave to file a brief in opposition to the motion shall do so by **January 30, 2024** (two weeks after Defendants' opposition is due).

Defendants' position is that they do not consent to the filing of any amicus filings in connection with the motion.

Respectfully submitted,

/s/
Mary Lynne Werlwas
Kayla Simpson
Katherine Haas
THE LEGAL AID SOCIETY
PRISONERS' RIGHTS PROJECT

Counsel for Plaintiff Class

/s/
Debra L. Greenberger
Jonathan Abady
Vasudha Talla
Sana Mayat
EMERY CELLI BRINCKERHOFF
ABADY WARD & MAAZEL LLP

Counsel for Plaintiff Class

The foregoing request is granted. DE no. 593 resolved.

SO ORDERED.

11/07/2023

/s/ Laura Taylor Swain, USDJ